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NEWS RELEASE

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DUI FELON SENTENCED TO FEDERAL PRISON

WICHITA, Kan. – A Mexican national convicted at least 11 times in the past 10 years of driving under the influence of alcohol has been **sentenced to 51 months in federal prison, without parole**, for re-entering the United States after having been deported, United States Attorney for Kansas Eric Melgren announced today.

The man, **Joel Rodriguez-Chavez**, 37, Durango, Mexico, sustained the DUI convictions primarily in the Wichita area, where Mr. Rodriguez appears to have lived since 1992. He was deported from the United States in August 1995, Melgren said, but was convicted of DUI in Boulder, Colo., in November 1995. Rodriguez was sentenced in Wichita Monday before U.S. District Judge Monti L. Belot.

Mr. Rodriguez pleaded guilty to the federal re-entry after deportation charge May 17. He had been sentenced to 2 ½ years in the Sedgwick County, Kansas, Jail last October for two felony DUI convictions.

(more)

He was indicted by a federal grand jury for re-entry after deportation Oct. 21, 2003, and was transferred to federal custody in March. He most likely will be returned to Sedgwick County custody to complete any pending state court sentences before starting his federal sentence, Melgren said.

His prior deportation has been re-instated, meaning that he will be deported after his federal sentence is complete. Melgren thanked the Immigration and Customs Enforcement division of the United States Department of Homeland Security and the Sedgwick County District Attorney's office for their assistance in securing the state and federal convictions against Mr. Rodriguez.

"Mr. Rodriguez will be removed from the streets and, ultimately, removed from this country," Melgren said. "This community will be safer as a result."

At a previous hearing in September, Rodriguez challenged whether his prior convictions could be used against him for sentencing in this case unless a jury found them to be convictions he had incurred. That challenge was withdrawn in cases where court documents established that Rodriguez had been convicted.

Rodriguez used multiple aliases, birth dates, addresses, resident alien cards and social security numbers to minimize his exposure to the criminal justice system, Melgren said. However, technological advances in fingerprint identification and criminal record systems made positive identification possible, Melgren said.